STATE OF NEW YORK

9351

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. JENSEN -- read once and referred to the Committee on Housing

AN ACT in relation to establishing the "New York state short-term rental property commission"; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. For the purposes of this act: "Short-term residential rental property" shall mean a residential home, unit therein, or accessory building that is leased on a daily or weekly basis, with the general duration of rental not exceeding thirty consecutive days. Hotels and motels shall be excluded from any such definition.

"Geographic regions" for the purposes of this act shall be based on the following factors, including, but not limited to:

(a) geographic size;

(b) proximity to and dependence on centers of employment and population; and

(c) unifying topographic characteristics.

§ 2. A temporary state commission, to be known as the New York state short-term rental property commission (hereafter "commission") is hereby created to assess the current housing stock in the state of New York and the state of short-term residential rental property. Specifically, the commission shall investigate:

(a) the current housing stock in the state of New York broken down by geographic regions, which shall include details such as the type of dwelling (e.g., single-family, condo, etc.) as well as owner occupied and investor-owned short-term rental properties;

(b) historical changes to the housing stock in the state of New York broken down by geographic region;

(c) comparative analysis of the historical and current housing stock in the state of New York with those of other states;

(d) the number of short-term residential rental properties broken down by geographic region;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(e) impact short-term residential rental properties have on local housing stock and economies;

(f) current state, federal, and local laws relating to use of residential property as short-term rental units;

(g) laws and policies of other states and jurisdictions impacting/restricting short-term residential rental properties; and

(h) recommendations as to the need for changes to local or state policies/laws related to short-term residential rentals, including zoning law, enforcement of local code and remedies to violations of applicable local or state laws.

§ 3. The commission shall address the impact short-term residential rentals have on residents, neighborhoods, as well as on crime and police activity and on the culture of neighborhoods and communities of interest.

§ 4. (a) The commission shall consist of eight members to be appointed as follows: two shall be appointed by the temporary president of the senate; two shall be appointed by the minority leader of the senate; two shall be appointed by the speaker of the assembly; and two shall be appointed by the minority leader of the assembly. Each member shall serve at the pleasure of the officer making such appointment, and any vacancy in membership shall be filled in the same manner provided for in the original appointments.

(b) The members shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available by appropriation therefor.

(c) Such membership on the commission shall not constitute the holding of a public office.

§ 5. (a) For the accomplishment for the purposes set forth in this act, the commission shall meet and hold public and/or private hearings within or without the state to elicit testimony as it deems necessary to effectuate its duties.

(b) The first meeting of the commission shall be held at the state capitol building at a time and place specified by the speaker of the assembly; provided that such meeting occurs no later than one year after the effective date of this act. At the first meeting, the commission shall elect a chair and vice-chair upon a majority vote of the membership. Following the election of such chair, all future meetings and hearings of the commission shall be called at the chair's discretion. In the absence of the chair, such authority shall be exercised by the vice-chair.

§ 6. The commission shall make recommendations and a final report of its findings no later than December thirteenth, two thousand twenty-six. The report shall be provided to the legislature and attorney general. Such report shall also include recommendations for changes to local and/or state policy and laws relating to short-term residential rentals. Such report shall also provide model local law language for municipalities to use if they currently have no code for short-term rental property regulation, and guidance on proper mechanism on enforcement of local law regarding short-term rental property ownership and use.

§ 7. This act shall take effect immediately and shall expire December 31, 2026 when upon such date the provisions of this act shall be deemed repealed.